

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

WILMA KILPATRICK,

1:02-cv-06467-REC-SMS-P

Plaintiff,

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS** (Doc. 41)

vs.

AUGUSTINE C. MEKKAM,

**ORDER GRANTING DEFENDANT'S
MOTION FOR SUMMARY JUDGMENT
(Doc. 34) AND DIRECTING CLERK
TO ENTER JUDGMENT FOR
DEFENDANT**

Defendant.

Plaintiff, Wilma Kilpatrick ("plaintiff"), is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 72-302.

On December 23, 2005, the Magistrate Judge filed Findings and Recommendations herein which were served on the parties and which contained notice to the parties that any objections to the Findings and Recommendations were to be filed within thirty (30) days. On January 27, 2006, plaintiff filed a motion to extend

1 time to file objections. On February 2, 2006, defendant filed
2 opposition to plaintiff's request for extension of time. On
3 March 6, 2006, the court denied plaintiff's motion for extension
4 of time.

5 In accordance with the provisions of 28 U.S.C.
6 § 636(b)(1)(C) and Local Rule 73-305, this Court has conducted a
7 de novo review of this case. Having carefully reviewed the
8 entire file, the Court finds the Findings and Recommendations to
9 be supported by the record and by proper analysis.

10 Accordingly, IT IS HEREBY ORDERED that:

11 1. The Findings and Recommendations, filed December 23,
12 2005, are ADOPTED IN FULL;

13 2. Defendant's motion for summary judgment, filed
14 September 8, 2005, is GRANTED; and,

15 3. The Clerk of the Court is directed to enter judgment
16 for defendant.

17 IT IS SO ORDERED.

18 Dated: March 20, 2006
668554

/s/ Robert E. Coyle
UNITED STATES DISTRICT JUDGE